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Attorneys for PATENAUE & FELIX, A Professional Corporation, A  
 California Corporation, and RAYMOND ALCIDE PATENAUE, individually  
 and in his official capacity

**IN THE UNITED STATES DISTRICT COURT**

**FOR THE NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

PATRICIA CLAIRE BANKSTON,

Plaintiff,

v.

PATENAUE & FELIX, A  
 PROFESSIONAL CORPORATION, A  
 California Corporation, and RAYMOND  
 ALCIDE PATENAUE, individually and  
 in his official capacity

Defendants.

CASE NO.: C07-03396-JW-PVT

**DEFENDANT, PATENAUE & FELIX's,  
 RESPONSE TO REQUEST FOR  
 ADMISSIONS**

PROPOUNDING PARTY: Plaintiff, PATRICIA CLAIRE BANKSTON

RESPONDING PARTY: Defendant, PATENAUE & FELIX

SET NO.: ONE (1)

**GENERAL OBJECTIONS**



These responses are made solely for the purpose of and in relation to this Action only. Each response is given subject to objections concerning competency, relevancy, materiality, propriety and inadmissibility, which would require the exclusion of any statement contained herein if the request for admission contained herein were made by, a witness present and testifying in court. All objections and grounds therefore are reserved and may be imposed at the time of trial.

Defendant has not yet fully completed its investigation of the facts related to this action, nor has it finished propounding its Discovery to the Plaintiff.

Consequently, the following responses are given without further prejudice to this responding party's right to produce, at time of trial, subsequently discovered evidence relating to the proof of facts subsequently discovered to be material.

Pursuant to FRCP 26(e), this responding party will supplement its response if new information is obtained that changes its response to an interrogatory.

### **RESPONSES**

#### **ADMISSIONS NO. 1:**

Plaintiff, PATRICIA CLAIRE BANKSTON, is a "consumer" within the meaning of 15 USC § 1692 a (3).

#### **RESPONSE TO ADMISSIONS NO. 1:**

Admitted.

#### **ADMISSIONS NO. 2:**

Defendant, PATENAUE & FELIX, A PROFESSIONAL CORPORATION, is a "debt collector" within the meaning of 15 U.S.C. § 1692 a (6).

#### **RESPONSE TO ADMISSIONS NO. 2:**

Admitted.

#### **ADMISSIONS NO. 3:**

The principal business of Defendant, PATENAUE & FELIX, A PROFESSIONAL CORPORATION, is the collection of consumer debts owed or alleged to be owed to another.

#### **RESPONSE TO ADMISSIONS NO. 3:**

Admitted.

#### **ADMISSIONS NO. 4:**

Defendant, PATENAUE & FELIX, A PROFESSIONAL CORPORATION, regularly collects or attempts to collect consumer debts on behalf of its clients.

#### **RESPONSE TO ADMISSIONS NO. 4:**

Admitted.

1 **ADMISSIONS NO. 5:**

2 The financial obligation owed to CAPITAL ONE BANK by Plaintiff is a "debt" as that term  
3 is defined by 15 USC § 1692 a(5).

4 **RESPONSE TO ADMISSIONS NO. 5:**

5 Admitted.

6 **ADMISSIONS NO. 6:**

7 The document Bates numbered 100001-100002 attached hereto is true and correct copy of  
8 the front and back of the original.

9 **RESPONSE TO ADMISSIONS NO. 6:**

10 Admitted to the extent the text is the same, but clarifying that the original is single page, with  
11 the text on both the front and back pages.

12 **ADMISSIONS NO. 7:**

13 The documents Bates numbered 100001-100002 attached hereto is genuine and admissible  
14 in trial without objection.

15 **RESPONSE TO ADMISSIONS NO. 7:**

16 Admitted.

17 Respectfully submitted:

18 **PATENAUDE & FELIX, A.P.C.**

19  
20 By: 

20 Dated: 11/12/07

21 Daniel L. Vinson, Esq.  
22 Attorneys for Defendants, Patenaude &  
23 Felix, A.P.C.,  
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26  
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RE: PATRICIA BANKSTON v. Patenaude & Felix  
Case No. C07-03396-JW-PVT

**VERIFICATION**

I, RAYMOND A. PATENAUDE, have read the foregoing Defendant, Patenaude & Felix, A.P.C.'s, Response to Request for Admissions, Set One (1), and know its contents.

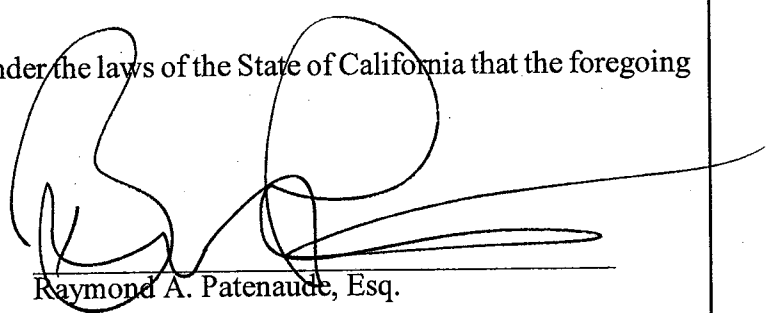
I am a \_\_\_\_\_ for  
Print Title  
Patenaude & Felix, A.P.C.'s, and am authorized to make this verification for and on its behalf, and I make this verification for that reason.

The matters stated in the aforementioned responses are true of my own knowledge, except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

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Dated: 11/12/07

  
Raymond A. Patenaude, Esq.

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